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UBER TECHNOLOGIES, INC.  
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,  
19 Plaintiff,  
20 v.  
21 UBER TECHNOLOGIES, INC.,  
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF  
PLAINTIFF'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
EXHIBITS IN SUPPORT OF  
OPPOSITION TO UBER AND  
OTTOMOTTO'S MOTION TO  
ENFORCE THE COURT'S JUNE 7,  
2017 ORDER, STRIKE WAYMO'S  
SUPPLEMENTAL INITIAL  
DISCLOSURE, AND PRECLUDE  
DAMAGES CLAIMS AND CERTAIN  
WITNESSES (DKT. 933)**

Trial Date: October 10, 2017

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this  
3 declaration based upon matters within my own personal knowledge and if called as a witness, I  
4 could and would competently testify to the matters set forth herein. I make this declaration in  
5 support of Plaintiff's Administrative Motion to File Under Seal Exhibits in Support of Opposition  
6 to Uber and Ottomotto's Motion to Enforce the Court's June 7, 2017 Order, Strike Waymo's  
7 Supplemental Initial Disclosure, And Preclude Damages Claims And Certain Witnesses (Dkt.  
8 933). I have reviewed the following documents and confirmed that only the portions identified  
9 below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 6	Marked portions (in red boxes)

13 2. The marked portions (in red boxes) on pages 10, 12, 18, and 19 of Exhibit 6  
14 contain highly confidential information regarding financial terms of a business agreement, the  
15 potential value of stock awards contingent upon multiple factors, including specific milestone  
16 accomplishments, and financial information of Ottomotto, including information about the  
17 structure, economic value, detailed monetary terms, and negotiations of business agreements with  
18 counterparties who have ongoing relationships with Defendants. These portions also include  
19 highly confidential internal emails discussing specific commercial terms such as purchase  
20 amounts, payment, and delivery terms. This highly confidential information is not publicly  
21 known, and its confidentiality is strictly maintained. If this information were to be released to the  
22 public, Defendants' competitors and counterparties would have insight to how Defendants  
23 structure their business agreements, including what potential monetary terms have been offered,  
24 which would allow them to tailor their own business negotiation strategy, such that Uber's  
25 competitive standing could be harmed.

26 3. The marked portions (in red boxes) on pages 10, 11, 12, 13, 14, 16, 18, 19, 27, and  
27 28 of Exhibit 6 also contain highly confidential information regarding Uber's competitive  
28 analysis of the self-driving market, strategic priorities, and development of its own detailed

1 market strategy, including Uber's internal development timeline estimate and internal analyses of  
 2 potential business and production models. This highly confidential information is not publicly  
 3 known, and its confidentiality is strictly maintained. If this information were to be released to the  
 4 public, Defendants' competitors and counterparties would have insight to how Defendants'  
 5 analysis of business opportunities, strategic priorities, development timelines, and how  
 6 Defendants have chosen to strategically position themselves within this market. This would  
 7 allow competitors to understand Uber's LiDAR development and business strategy, and allow  
 8 them to tailor their own LiDAR development, such that Uber's competitive standing could be  
 9 harmed.

10 4. The marked portions (in red boxes) on pages 11, 12, and 19 of Exhibit 6 also  
 11 contain actual and projected component or device pricing, estimated costs relating to such  
 12 components or devices, the identification of a confidential vendor of Uber, and projected unit  
 13 numbers. This highly confidential information is not publicly known, and its confidentiality is  
 14 strictly maintained. If this information were released to the public, Defendants' competitors  
 15 could tailor their LiDAR strategy to target this component price or this confidential vendor, such  
 16 that they obtain a competitive advantage against Uber.

17 5. Defendants' request to seal is narrowly tailored to those portions of Plaintiff's  
 18 Exhibits that merit sealing.

19 I declare under penalty of perjury under the laws of the United States that the foregoing is  
 20 true and correct. Executed this 21st day of July, 2017, at San Diego, California.

21  
 22 /s/ Michelle Yang

Michelle Yang

**ATTESTATION OF E-FILED SIGNATURE**

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has concurred in this filing.

Dated: July 21, 2017

/s/ Arturo J. González  
Arturo J. González